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VIA ECF

Hon. Valerie Caproni, USDJ
United States District Court, Southern District of New York
40 Foley Square, Room 240
New York, NY 10007

Re: *Obesity Action Coalition v. Aetna, Inc. d/b/a Aetna Better Health, Inc.*,
Civil Case No. 1:19-cv-04557

Dear Judge Caproni:

We represent Defendants Aetna Inc. and Aetna Better Health, Inc. (collectively, “Aetna”) in the above-referenced matter and write to provide a brief status update to the Court and request that all pending deadlines be stayed in light of the parties’ settlement discussions.

Aetna has decided to revise its bariatric surgery policy to eliminate the specific time requirements of which Plaintiff Obesity Action Coalition (“OAC”) complains. Aetna anticipates that the revised policy will go into effect by late February 2020, at which point the parties expect that they will likely be able to settle this litigation.

Accordingly, Aetna respectfully requests that:

- (1) All deadlines—including the January 24, 2020 deadline for Aetna’s reply in further support of its motion to dismiss—be stayed; and
- (2) The parties be permitted to file a letter with the Court, on or before March 6, 2020, informing the Court as to the status of negotiations and whether a settlement has been reached.

OAC’s counsel has advised Aetna that OAC consents to the above requests.

Application GRANTED. This case is STAYED pending settlement discussions. The parties are directed to submit a status update by **March 6, 2020** indicating whether a resolution has been reached.

SO ORDERED.



1/21/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

/s/ Earl B. Austin
Earl B. Austin